

**New Hampshire Racing & Charitable Gaming Commission**  
**Commission Meeting**  
**June 17, 2013**  
**13-08**

Present: Timothy J. Connors, Chairman  
Anthony B. Urban, Secretary  
Frederick H. Booth, Member  
Dennis H. Caza, Member  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Stratos Argiras, Auditor  
Linda R. Darrow, Administrative Secretary

In Attendance: Dick Bouley, Rick Newman, Teresa Rosenberger, Shawn Flanagan, Michael McLaughlin, Ryan Gloddy, Craig Potts and others.

The Chairman called the meeting to order at 11:06 a.m.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to approve and place on file the minutes dated June 4, 2013.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the racing & charitable gaming statistics for the fiscal period of July 1, 2012 – May 31, 2013. It was noted that revenue continues its downward trend.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to accept and place on file the Games of Chance/Bingo/Lucky 7 warning letters/late financials spreadsheets. Deputy Director Naik noted all responses were received by the due date.

The Games of Chance State Revenue spreadsheets were reviewed and placed on file.

Tabled

- a. *Statutes and rules governing Bingo and the sale of Lucky 7 tickets:* This item will remain tabled through the summer. Commissioner Presby stated that a kickoff meeting will be scheduled in early July with the industry to begin work on the statutes and rules. He did note that these meetings would first be addressing the current statutes, with work on the rules being done at a later date.

Action

- a. *Attorney Luker/Potts Gaming to provide documentation on operation of redemptive slot machines/prizes:* Director Kelley stated that the documentation was not received in time to include in the agenda packet. The material from Attorney Luker/Potts Gaming was received after the agenda packet was mailed, necessitating a second mailing. Chairman Connors noted that the late receipt of these items did not give the Commission much time to review the material. Mr. Craig Potts was in attendance and addressed the Commission,

apologizing for the late submission of the materials. He made himself available to answer any questions the Commission had. Points made by Mr. Potts included:

- Redemption machines currently at Lakes Region Casino – points won can be used for more play or redeemed for merchandise only. Mastercard or debit card redemption was stopped.
- Believes these machines to be 100% legal
- Believes the presence of these machines benefits charities
- Asked that his facility license be renewed
- Had financial information available for the Commission, which would be made available in a non-public setting

Points made by members of the Commission:

- The cease and desist order still stands
- In the past, machines have been brought to the Commission for a demonstration and approval before being installed
- Are these machines certified? And if so, who certifies them?

Discussion ensued. The decision was made to revisit this item in the non-public meeting scheduled to be held after the public meeting.

#### Final Proposals

Director Kelley noted this was a work in progress and he was working with JLCAR to finalize. (Pari 303 – Racetrack Licensing).

#### Correspondence:

The summary of RCGC monthly activities for the month ended May 2013 was accepted and placed on file.

#### Old Business:

- Director Kelley provided the legislative update. Both the senate and the house are going to committee of conference to iron out their differences on HB 314 and SB 75. He will be attending the meeting scheduled for 1:00 p.m. tomorrow in Room 103 in the State House. He provided a handout which showed the amendments made by both the house and the senate to these two bills.
- Commissioner Gatsas noted that Seabrook and Rockingham provide the Commission with account wagering account information on a monthly basis for review. For the record he wanted it noted that, to date, the balances have fallen within the required limits.

#### New Business:

None

There being no questions or comments from the audience, at 11:35 a.m., on a motion by Commissioner Booth, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to adjourn the regular meeting and go into nonpublic session as allowed under RSA 91-A:3, I (b), II(c) and II(j)

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

At 2:15 p.m., on a motion by Commissioner Urban, seconded by Commissioner Caza and by a unanimous roll call vote the Commission voted to come out of the nonpublic session and permanently seal the nonpublic minutes.

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

On a motion by Commissioner Gatsas, seconded by Commissioner Caza and unanimously voted to let the cease and desist letter stand and allow Mr. Potts's attorney, Mr. Nicolopoulos, to work with Assistant Attorney General Mike Brown to resolve the redemption slot machine issues. No license is to be issued until the RCGC hears back from the AG's office with a resolution to the matter. Upon resolution, the Commission provides the staff with the authority to issue a license immediately.

The next meeting is scheduled for Tuesday, July 16, 2013 at 11:00 a.m., location to be determined.

The Chairman closed the public meeting at 2:20 p.m.

Respectfully Submitted,

Secretary  
Anthony B. Urban